

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HUGO KAYO,

Plaintiff,

-v-

PETER MERTZ, et al.,

Defendants.

19 Civ. 365 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court appreciates counsel's prompt action in supplementing the record in this case. Plaintiff Hugo Kayo has filed a declaration in support of his opposition to defendants' motion for summary judgment, Dkt. 83 ("Hazan Decl."), which appears to have been referenced in Kayo's original Rule 56.1 counter statement. Kayo has further filed an amended version of his Rule 56.1 counter statement. Dkt. 84. Having reviewed this amended Rule 56.1 counter statement, the Court finds that the vast majority of the changes fix typographical errors. However, there are substantive changes to Kayo's responses to paragraphs 19 and 20, which appear to have been erroneously omitted from Kayo's original Rule 56.1 counter statement.

If defendants wish to respond to the Hazan Declaration and its attached excerpt of Kayo's deposition or the changes to paragraphs 19 and 20 in Kayo's amended Rule 56.1 counter statement, defendants are to submit, by March 12, 2021, a brief of no more than five pages addressing those changes only.

SO ORDERED.

A handwritten signature in blue ink that reads "Paul A. Engelmayer". The signature is written in a cursive style with a horizontal line underneath it.

PAUL A. ENGELMAYER
United States District Judge

Dated: March 8, 2021
New York, New York